

REMARKS

I. Amendments to the Specification. As requested by the Examiner, the specification has been amended to add sequence identifiers to certain amino sequences. The sequence identifiers do not add new matter to the application.

II. Claim status. Claims 1-72 were pending. To expedite grant of a patent on claims 14, 16-20, 22-25, 51, 52, 55, 56, 59, 60, 63, 64, 67, 68, 71 and 72, claims 1-13, 15, 21, 26-50, 53, 54, 57, 58, 61, 62, 65, 66, 69 and 70 have been canceled. All claims are canceled without prejudice or disclaimer. The subject matter of the canceled claims will be the subject of one or more divisional and/or continuation applications.

Claims 14, 20, 51, 52, 55, 56, 59, 60, 63, 64, 67, 68, 71 and 72 have been amended.

Claims 14 and 20 have been amended to be directed respectively to methods for inhibiting accumulation of amyloid β peptide or fragment thereof in the brain and inhibiting the neurotoxicity of such a peptide or fragment thereof. This subject matter was included as an alternative embodiment in the respective claims. Accordingly, these amendments are supported by the claims as filed.

Claims 14 and 20 have also been amended to recite the methods are practiced by administering an antibody targeted to an amyloid β peptide or fragment to a subject in need. By this Amendment, no new matter has been added to the specification.

Claims 51, 52, 55, 56, 59, 60, 63, 64, 67, 68, 71 and 72 have been amended to incorporate the subject matter of their respective former base claims and to be dependent upon one of claims 14 or 20. Each amended claim is supported by the respective original claim. Accordingly, the amendments to these claims does not add new matter to the application.

After entry of this Amendment, claims 14, 16-20, 22-25, 51, 52, 55, 56, 59, 60, 63, 64, 67, 68, 71 and 72 are pending.

III. Sequence Compliance. A new sequence listing is enclosed. The sequence listing includes amino acid sequences that are present in the specification but were omitted from the prior version of the sequence listing. An Amendment directing entry of the new sequence listing is enclosed as a separate paper.

IV. Claim rejections. The rejections set forth in the Office Action are summarized and addressed as follows.

(i) Rejections Under 35 U.S.C. §112, second paragraph. Claims 6, 12-25, 51, 52, 55, 56, 59, 60, 63, 64, 67, 68, 71 and 72 have been rejected for alleged indefiniteness. Claims 6, 12 and 13 have been canceled without prejudice or disclaimer. The rejection of these claims is moot. Without conceding the validity of the rejections, claims 14-25, 51, 52, 55, 56, 59, 60, 63, 64, 67, 68, 71 and 72 have been amended. The rejection is addressed to the extent it pertains to the claims pending after entry of this Amendment.

The Examiner asserts that claims 19 and 25 are indefinite for recitation of the term “bispecific antibody.” The Examiner’s assertion is respectfully traversed. The ordinary and plain meaning of “bispecific antibody” to one of ordinary skill in the art is an antibody that has two separate antigen-binding specificities. See Cruse et al., 1994, *Illustrated Dictionary of Immunology*, CRC Press at 38 (enclosed). The rejections should therefore be withdrawn.

The Examiner asserts that claims 14, 20, 51, 52, 55, 56, 59, 60, 63, 67, 68, 71 and 72 are indefinite for recitation of “inhibiting or suppressing the accumulation [or neurotoxicity].” In response, without conceding the validity of the rejection, independent claims 14 and 20 have been amended to call for inhibiting accumulation of amyloid β peptide or a fragment thereof in the brain and inhibiting the neurotoxicity of such a peptide or a fragment thereof. Claims 51, 52, 55, 56, 59, 60, 63, 67, 68, 71, and 72 depend respectively from either claim 14 or 20. The basis of the rejections has been addressed. The rejections should be withdrawn, accordingly.

The Examiner asserts that claims 20, 52, 56, 60, 64, 68 and 72 are further indefinite for recitation of “delaying...the neurotoxicity.” In response, without conceding the validity of the rejection, these claims have been amended to call for methods of “inhibiting the neurotoxicity” of amyloid β peptide or a fragment thereof. The rejection should therefore be withdrawn.

The Examiner asserts that claims 14, 16-20, 22-25, 51, 52, 55, 56, 59, 60, 63, 64, 67, 68, 71 and 72 are indefinite as being incomplete for omitting essential steps, amounting to a gap between the stated steps. The Examiner asserts that the claims lack reference to a subject. In response, the claims have been amended so that all pending claims are now directed to administering antibody to a “subject in need.” With respect to the Examiner’s assertion that the claims fail to make any reference or relation to a place or accumulation or neurotoxicity of amyloid beta: (1) The assertion is incorrect as it applies to claim 14 its dependent claims. Original claim 14 was directed to delaying, inhibiting, or suppressing accumulation of amyloid β or a fragment thereof in the brain. Claim 14 has been amended to further clarify this point. (2) The Examiner’s

rejection is traversed as it applies to claim 20 its dependent claims. These claims are directed to a single-step method for inhibiting the neurotoxicity of amyloid β or a fragment thereof, comprising the step of administering to a subject in need of such inhibition an antibody which is targeted to amyloid β peptide, or a fragment thereof. A method claim is not required to state the mechanism by which the method operates, but only the steps of the method. The present claims comply with this stricture. Accordingly, this rejection should be reversed.

The stated grounds for the rejection of claims 14, 20, 51, 52, 55, 56, 59, 60, 63, 67, 68, 71 and 72 as being indefinite are believed to have been addressed and overcome. The subsisting claims are believed to comply with the requirements of the second paragraph of 35 U.S.C. §112. Reconsideration of claims 14, 20, 51, 52, 55, 56, 59, 60, 63, 67, 68, 71 and 72 and withdrawal of the rejection of these claims for indefiniteness is requested.

(ii) Rejection Under 35 U.S.C. §102. To expedite prosecution of the application, all claims that were rejected under section 102 have been canceled without prejudice or disclaimer. None of the subsisting claims in the application were rejected over the prior art. The rejection under section 102 is therefore moot and should be withdrawn.

(iii) Duplicate claims. The Examiner asserts that subsisting claims 16 and 22 are substantial duplicates of claims 51 and 52, respectively. Claims 16 and 51 call for antibodies with different specificities. Likewise, claims 22 and 52 call for antibodies with different specificities. Accordingly, claims 16 and 51 are not substantial duplicates and claims 22 and 52 are not substantial duplicates. The Examiner's objection to these claims should be withdrawn.

CONCLUSION

This application is believed to be in condition for allowance, which is earnestly solicited.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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